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32692

Customer Number

Patent  
Case No.: 59407US010

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: KSHIRSAGAR, TUSHAR A.  
Application No.: 10/596895  
International Application No.: PCT/US2004/043474 International Filing Date: December 22, 2004  
Title: PIPERAZINE, [1,4]DIAZEPANE, [1,4]DIAZOCANE, AND [1,5]DIAZOCANE  
FUSED IMIDAZO RING COMPOUNDS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC § 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571)273-8300.

January 16, 2007

Date

Signed by: Megan Rindlsbacher

Dear Sir:

This is in response to the Notification of Missing Requirements Under 35 USC § 371 in the United States Designated/Elected Office (DO/EO/US), dated 11/22/2006. A copy of this Notification is enclosed.

The Notification indicates that the oath or declaration is missing. Therefore, enclosed is an executed Declaration and Power of Attorney in compliance with 37 CFR 1.497(a) and (b) for the above-identified application and authorization to charge the \$130 surcharge.

The Notification further indicates that Applicant owes an additional \$250 for 12 pages in excess of 200 pages. However, Applicants paid for 239 pages which includes; 211 pages for the published PCT specification and claims, 1 page for the PCT cover sheet with abstract, 0 drawings, and 27 pages for the preliminary amendment. According to the EFS-Web instructions that Applicants followed, the application size fee is calculated as follows:

239 minus a 25% reduction for EFS-Filing = 179 pages, minus 100 = 79, divided by 50 = 2, and 2 multiplied by \$250 = \$500.

Applicants believe that they correctly calculated the number of pages, and paid the correct amount of \$500. Therefore, the fee for electronically submitting the application has been paid in full. If there is an error in this calculation, please advise as to where the error occurred.

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DUPLICATE

Case No.: 59407US010

The notification further indicates that Applicant must submit \$300 to complete the search fee. Applicants submitted \$100 for the search fee, based upon inadvertently selecting the search fee for the US. However the EP did the search report. Applicants' search fee was insufficient, and therefore Applicants hereby submit an additional \$300.

Fees

☒ Please charge the surcharge fee and additional search fee to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

☒ If necessary, charge any additional required fee, or credit any overpayment to Deposit Account No. 13-3723.

Respectfully submitted,

16 JANUARY 2007

Date

By:

Dean A. Ersfeld  
Dean A. Ersfeld, Reg. No.: 46,689  
Telephone No.: 651-733-7830

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833

01/18/2007 ATRAN1 00000115 133723 10596895

|            |           |
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| 01 FC:1633 | 200.00 DA |
| 02 FC:1642 | 400.00 DA |
| 03 FC:1617 | 130.00 DA |

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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|   |   |                                |
|---|---|--------------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/596,895       | FIRST NAMED APPLICANT<br>Tushar A. Kshirsagar | ATTY. DOCKET NO.<br>59407US010 |
| INTERNATIONAL APPLICATION NO.<br>PCT/US04/43474 |   |                                |
| LA. FILING DATE                                 |   | PRIORITY DATE                  |

32692

3M INNOVATIVE PROPERTIES COMPANY, ICE OF INTELLECTUAL  
PROPERTY COUNSEL  
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ST. PAUL, MN 55133-3427

3M INNOVATIVE PROPERTIES COMPANY

CONFIRMATION NO. 1940

371 FORMALITIES LETTER

NOV 27 2006

\*OC000000021317327\*

Date Mailed: 11/22/2006

REFERRED TO \_\_\_\_\_

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/28/2006
- Copy of the International Search Report filed on 06/28/2006
- Preliminary Amendments filed on 06/28/2006
- Information Disclosure Statements filed on 10/19/2006
- U.S. Basic National Fees filed on 06/28/2006
- Specification filed on 06/28/2006
- Claims filed on 06/28/2006
- Abstracts filed on 06/28/2006

DUE DATE(S)

ATTORNEY  
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DEC 01 2006

D.A. ERSFELL

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$680 for a Large Entity:

- \$130 Surcharge.

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- The fee for electronically submitting a specification and drawing containing more than 100 pages has not been paid in full. Applicant owes \$250 for 12 pages in excess of 200 pages for a large entity.
- The application search fee is insufficient. Applicant must submit \$300 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/596,895                  | PCT/US04/43474                | 59407US010       |

FORM PCT/DO/EO/905 (371 Formalities Notice)

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